



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Dock t No. 081848/0180

Applicant: Takeao KONDO  
Title: MICROCOMPUTER AND METHOD FOR REWRITING  
DATA ON FLASH MEMORY  
Application No.: 09/835,641  
Filing Date: April 17, 2001  
Examiner: Unassigned  
Art Unit: 2185

#5  
S. Coffin  
3/24/04

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**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO-SB08 is a list of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR 1.97 and 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any documents which is determined to be a prima facie prior art reference against the claims of the present application.

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### **TIMING OF THE DISCLOSURE**

The instant Information Disclosure Statement is believed to be filed in accordance with 37 C.F.R. 1.97(b), prior to the mailing date of a first Office Action on the merits (first scenario). If that is not the case, such as in a second scenario in which a first Office Action on the merits has been mailed before the filing of the instant Information Disclosure Statement, then either a certification or fee is required, and a certification is provided below. If neither of the first or second scenarios is the case, such as if a final Office Action or a notice of allowance has been mailed by the PTO (third scenario), then both a certification and fee are required, and in that case a certification is provided below and also the PTO is authorized to obtain the necessary fee to have the instant IDS considered, from Foley & Lardner Deposit Account #19-0741.

### **CERTIFICATION**

The undersigned hereby certifies in accordance with 37 C.F.R. §1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement.

### **RELEVANCE OF EACH DOCUMENT**

A translation of a portion of a Japanese Office Action that issued February 16, 2004 with respect to a counterpart Japanese patent application is provided below.

"Cited Literature 1 discloses the technical concept of "in a microcomputer, storing the circuit version in an internal non-volatile memory, and reading from an internal non-volatile memory a selected program for updating the version based on the circuit version," the technical concept of "overwriting a flash memory through executing an overwrite basic program stored in a ROM."

Additionally, Cited Literature 2 discloses the technical concept of "in a microcomputer, writing the control data

(corresponding to 'parameters' in the present application) to a second internal non-volatile memory required for overwriting a first internal non-volatile memory comprising a flash memory, or the like."

Note that, as described in Cited Reference 3, "writing, to an electrically rewritable non-volatile memory, a program part wherein a program that is stored in a ROM has been partially corrected" is a well-known technology.

#### List of Cited Literature

1. Japanese Unexamined Patent Application Publication H06-332691
2. Japanese Unexamined Patent Application Publication H10-334072
3. Japanese Unexamined Patent Application Publication H03-033926

#### Record of Prior Art Literature Search Results

Fields Searched - IPC 7<sup>th</sup> Edition - G06F15/78, 510

#### Prior Art Literature

- a. Japanese Unexamined Patent Application Publication H07-093138
- b. Japanese Unexamined Patent Application Publication H11-017155
- c. Japanese Utility Model Application S60-199468 (Japanese Unexamined Utility Model Application Publication S62-110799) microfilm

This Record of Prior Art Literature Search Results does not constitute a reason for rejection."

Applicant's statements regarding the Japanese Office Action are based on a partial translation that Applicant's representative obtained. These statements should in no way be considered as an agreement by Applicant with, or an admission of, which is asserted in the Japanese Office Action.

Applicant respectfully request that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form-SB08 be returned in accordance with MPEP §609.

Respectfully submitted,

March 18, 2004  
Date

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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  Date Submitted: March 18, 2004 <i>(use as many sheets as necessary)</i>				<b>C mplete if Known</b>	
Application Number		09/835,641			
Filing Date		04/17/2001			
First Named Inventor		Takao KONDO			
Group Art Unit		2185			
Examiner Name		Unassigned			
Attorney Docket Number		081848-0180			

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Sheet	1	of	1
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**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYaYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A1	JP	62-110799			07/15/1987		
	A2	JP	3-33926			02/14/1991		ABS
	A3	JP	6-332691			12/02/1994		ABS
	A4	JP	7-93138			04/07/1995		ABS
	A5	JP	10-334072			12/18/1998		ABS
	A6	JP	11-17155			01/22/1999		ABS

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>

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Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.